

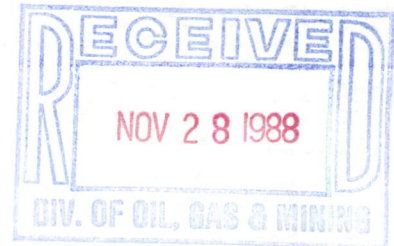


**Marblehead Lime Company**  
A General Dynamics Company

390 East Joe Orr Road  
Chicago Heights, Illinois 60411  
312/757-6201

November 23, 1988

Mr. D. Wayne Hedberg  
State of Utah  
Department of Natural Resources  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203



RE: MINE AND RECLAMATION PERMIT M/045/003

Dear Mr. Hedberg:

Attached please find the Surety Rider which reduces the amount of our current Surety Bond liability from \$119,257 to \$51,400, as per your letter of November 9, 1988.

Per our phone conversations of November 14 and November 23, 1988, this should now satisfy the Division's requirements in regard to the Surety Bond for our Mine and Reclamation Plan.

Please feel free to call if additional information is required.

Sincerely,

MARBLEHEAD LIME COMPANY

Philip N. Raines  
Asst. to Vice President of Operations

PNR/bb  
Attachment

cc: M. D. Henery (w/attach.)  
E. J. Penman "  
Elaine Platt  
file

(Revised August 1983)  
(Non-Federal)STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
4241 State Office Building  
Salt Lake City, Utah 84114*This original  
replaced 6/9/98  
& returned to  
operator 6/11/98*

## THE MINED LANDS RECLAMATION ACT

BOND  
\*\*\*\*\*

The undersigned UTAH MARBLEHEAD LIME COMPANY  
as principal, and SAFECO INSURANCE COMPANY OF AMERICA as  
surety, hereby jointly and severally bind ourselves, our heirs, administrators,  
executors, successors and assigns unto the State of Utah, Division of Oil, Gas  
and Mining in the penal sum of One Hundred Nineteen Thousand Two Hundred  
Fifty Seven----- dollars (\$ 119,257.00-----).

The principal estimated in a "Notice of Intention to Commence Mining  
Operations and a Mining and Reclamation Plan," filed with the Division of Oil,  
Gas and Mining on the 23rd day of August,  
19 83, that 159 acres of land will be affected by this mining  
operation in the State of Utah. A description of the affected land is attached  
hereto as Exhibit "A."

When the Division has determined that the principal has satisfactorily  
reclaimed the above-mentioned lands affected by mining in accordance with the  
approved Mining and Reclamation Plan and has faithfully performed all  
requirements of the Mined Land Reclamation Act, and complied with the Rules  
and Regulations adopted in accordance therewith, then this obligation shall be  
void; otherwise it shall remain in full force and effect until the reclamation  
is completed as outlined in the approved Mining and Reclamation Plan.

If the approved plan provides for reclamation of the land affected on a  
piecemeal or cyclic basis, and the land is reclaimed in accordance with such  
plan, then this bond may be reduced periodically.

In the converse, if the plan provides for a gradual increase in the area  
of the land affected or increased reclamation work, then this bond may  
accordingly be increased with the written approval of the surety company.

The Division shall only accept the bond of a surety company if the bond is  
noncancellable by the surety at any time for any reason including, but not  
limited to nonpayment of premium or bankruptcy of the permittee during the  
period of liability.

NOTE: Where one signs by virtue of Power of Attorney for a surety company, such Power of Attorney must be filed with this bond. If the principal is a corporation, the bond shall be executed by its duly authorized officers with the seal of the corporation affixed.

UTAH MARBLEHEAD LIME COMPANY  
Principal (Company)

By M.D. Henry V.P.  
Company Official - Position

Date: August 23, 1983

SAFECO INSURANCE COMPANY OF AMERICA  
Surety (Company)

By Robert W. Doolman  
Official of Surety - Position  
Attorney-in-Fact

COUNTERSIGNED BY:

John W. Rowley  
John W. Rowley  
Salt Lake City, UT

DATE: August 23, 1983

BOARD:

Gregory P. Williams

Gregory P. Williams, Esq. - Chairman

DATE: Sept. 22, 1983



POWER OF  
ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA  
GENERAL INSURANCE COMPANY OF AMERICA  
HOME OFFICE: SAFECO PLAZA  
SEATTLE, WASHINGTON 98185

No. \_\_\_\_\_

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

-----**ROBERT P. POWERS; LEON P. KIPP; ROBERT W. HARTMAN; JEAN L. NYSTEDT; JULIA T. SALAY**, Chicago, Illinois-----

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

ACKNOWLEDGMENT BY SURETY

STATE OF Illinois }  
County of Cook } ss

On this 23rd day of August, 1983, before me personally appeared Robert W. Hartman, known to me to be the Attorney-in-Fact of **SAFECO INSURANCE COMPANY OF AMERICA**, **GENERAL INSURANCE COMPANY OF AMERICA**, **FIRST NATIONAL INSURANCE COMPANY OF AMERICA** or **SAFECO NATIONAL INSURANCE COMPANY**, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

(Seal)

S-230 R4 6/78

Jean L. Nystedt  
Notary Public in the State of Illinois  
County of Cook

My Commission Expires Nov. 26, 1984

PRINTED IN U.S.A.

and of **GENERAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, W.D. Hammersla, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 23rd day of August, 1983



SURETY RIDER

SAFECO INSURANCE COMPANY OF AMERICA  
GENERAL INSURANCE COMPANY OF AMERICA  
FIRST NATIONAL INSURANCE COMPANY  
OF AMERICA  
HOME OFFICE: SAFECO PLAZA  
SEATTLE, WASHINGTON 98185

*Released + Returned  
6/11/98*

To be attached to and form a part of

Bond No.

Type of

Bond:

LAND RECLAMATION BOND

dated  
effective 08/23/1983  
(MONTH-DAY-YEAR)

executed by UTAH MARBLEHEAD LIME COMPANY, ( MATERIAL SERVICE CORP.) ,as Principal,  
(PRINCIPAL)

and by SAFECO INSURANCE COMPANY OF AMERICA ,as Surety,  
(SURETY)

in favor of STATE OF UTAH - DEPT. OF NATURAL RESOURCES.  
(OBLIGEE)

in consideration of the mutual agreements herein contained the Principal and the Surety hereby consent to changing  
THE AMOUNT OF BOND LIABILITY:

FROM \$119,257  
TO \$51,400

ACREAGE FROM: 159 ACRES  
TO 49 ACRES

Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated.

This rider

is effective 11/09/1988  
(MONTH-DAY-YEAR)

Signed and Sealed 11/17/1988  
(MONTH-DAY-YEAR)

UTAH MARBLEHEAD LIME COMPANY, ( MATERIAL SERVICE CORP.)  
(PRINCIPAL)

By: M. D. Henry President & Chief Executive Officer  
(PRINCIPAL) (TITLE)

SAFECO INSURANCE COMPANY OF AMERICA

By: Rose Mary Fanizio  
(ATTORNEY-IN-FACT) Rose Mary Fanizio



POWER  
OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA  
GENERAL INSURANCE COMPANY OF AMERICA  
HOME OFFICE: SAFECO PLAZA  
SEATTLE, WASHINGTON 98185

No. \_\_\_\_\_

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

-----ROSE MARY FANIZIO-----

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 3rd day of November, 19 80.

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA  
and of GENERAL INSURANCE COMPANY OF AMERICA:

ACKNOWLEDGMENT BY SURETY

STATE OF ILLINOIS  
County of COOK } ss

On this 17th day of November, 1988, before me personally appeared Rose Mary Fanizio, known to me to be the Attorney-in-Fact of SAFECO INSURANCE COMPANY OF AMERICA, GENERAL INSURANCE COMPANY OF AMERICA, FIRST NATIONAL INSURANCE COMPANY OF AMERICA or SAFECO NATIONAL INSURANCE COMPANY, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

OFFICIAL SEAL  
HELEN M. LASSITER  
NOTARY PUBLIC, STATE OF ILLINOIS  
COMMISSION EXPIRES 6/21/92

(Seal)

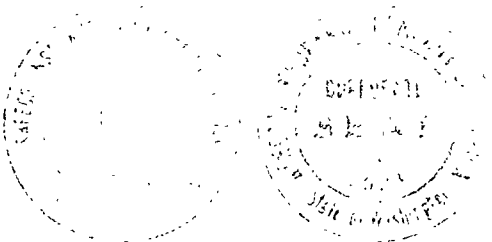
S-230 R4 6/78

Helen M. Lassiter  
Notary Public in the State of IL  
County of Cook

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 17th day of November, 19 88.



Exhibits